

REMARKS/ARGUMENT

Claims 1-15 are pending in this application. Claims 1, 6, 12, and 14 stand rejected and claims 2-5 and 7-10 are objected to. Applicant wishes to thank the Examiner for the allowance of claims 11, 13, and 15, and the indication of allowable subject matter in claims 2-5 and 7-10. By this Amendment, claim 12 has been amended. The amendment made to claim 12 do not alter the scope of the claim, nor has the amendment been made to define over the prior art. Rather, the amendment to the claim has been made for cosmetic reasons to improve the form thereof. In light of the remarks set forth below, Applicant respectfully submits that each of the pending claims is in immediate condition for allowance.

Claims 1, 6, 12, and 14 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 5,809,083 ("Wright"). Applicant respectfully traverses the rejection.

Among the limitations of claims 1 and 14 that are not disclosed or suggested in Wright are:

N (N is a positive integer) pilot channels for transmitting reference signals whose transmission signals are known in advance;

M (M is a positive integer) data channels for transmitting information, wherein each of said M data channels is made to dynamically correspond to one or a plurality of said N pilot channels.

According to the present invention, there are N pilot channels and M data channels. The combination of pilot and data channels are not fixed but can be dynamically changed. This is unlike the transmission method and apparatus disclosed by Wright.

Wright discloses a transmission system wherein a pilot word is periodically transmitted with data to allow for the synchronization of a transmitter with a receiver. (Abstract). The pilot word is transmitted along with the data as shown in Figures 2 and 3. This is unlike Applicant's explicitly recited N pilot channels and M data channels. Further, in Wright, because the pilot word is transmitted along with the data on the same channel, there is no need for the "M data channels [is made] to dynamically correspond to one or a plurality of said N pilot channels." Thus, there is no disclosure in Wright of pilot channels and data channels where the data channels are made to dynamically correspond to one or a plurality of N pilot channels.

Therefore, it is asserted that the rejection of claims 1 and 14 under 35 U.S.C. § 102 has been overcome. Reconsideration of the rejection of claims 1 and 14 under 35 U.S.C. § 102 is respectfully requested in light of the amendments and remarks above.

Claim 6 depends from, and contains all the limitations of claim 1. This dependent claim also recites additional limitations which, in combination with the limitations of claim 1, are neither disclosed nor suggested by Wright and is also directed towards patentable subject matter. Thus, claim 6 should also be allowed.

Among the limitations of claim 12 that are not disclosed or suggested in Wright are:

transmitting N (N is a positive integer) reference signals whose transmission signals are known in advance by using N pilot channels, and transmitting M (M is a positive integer) pieces of information by using M data channels, comprising making each of said M data channels dynamically correspond to one or a plurality of said N pilot channels.

As discussed above, Wright discloses a transmission system wherein a pilot word is interspersed among data and transmitted to a receiver to synchronize the receiver with

the transmitter. Further, in Wright the pilot word is transmitted with the data on a single channel there is no need or ability to have any correlation between data and pilot channels. All of the transmission in Wright is performed over the same channel, not M data channels and N pilot channels as explicitly recited in Applicant's claim.

Thus, it is asserted that the rejection of claims 1, 6, 12, and 14, under 35 U.S.C. § 102 has been overcome. Reconsideration of the rejection of claims 1, 6, 12, and 14, under 35 U.S.C. § 102, is respectfully requested in light of the amendments and remarks above.

Applicant has responded to all of the rejections and objections recited in the Office Action. Reconsideration and Notice of Allowance for all of the pending claims is therefore respectfully requested.

It is asserted that the present response places the application in a form for allowance. Entry of this amendment is therefore earnestly solicited.

If the Examiner believes an interview would be of assistance, the Examiner is welcome to contact the undersigned at the number listed below.

Dated: February 6, 2003

Respectfully submitted,

By 
Ian R. Blum

Registration No.: 42,336
DICKSTEIN SHAPIRO MORIN &
OSHINSKY LLP
1177 Avenue of the Americas - 41st Floor
New York, New York 10036-2714
(212) 835-1400
Attorneys for Applicant

IRB/mgs

APPENDIX B
Version With Markings To Show Changes Made
37 CFR 1.121(b)(iii) AND (c)(ii)

CLAIMS (with indication of amended or new):

12. (Amended) A reference signal transmission method in a cellular system using a code division multiple access (CDMA) scheme of transmitting N (N is a positive integer) reference signals whose transmission signals are known in advance by using N pilot channels, and transmitting M (M is a positive integer) pieces of information by using M data channels, the method comprising: [of]

making each of said M data channels dynamically correspond to one or a plurality of said N pilot channels.